

SUPPORT FOR THE AMENDMENTS

Claims 6 and 7 have been added.

Support for Claims 6 and 7 is provided by page 5, lines 5-8 and the detailed description at page 5, line 22 to page 17, line 10.

No new matter is believed to be entered by the present amendments.

REMARKS

Claims 1-7 are pending in the present application.

The rejection of Claims 1-5 under 35 U.S.C. §102(b) over Tsutomu (JP 2001-348515) is respectfully traversed.

Tsutomu disclose a coating composition having an alkyl silicate such as ethyl silicate or methyl silicate. In contrast, the coating composition of the presently claimed invention comprises a siloxane compound (A) obtainable by the hydrolysis and condensation of an alkyl silicate. Tsutomu does not disclose or suggest hydrolysis and condensation of the disclosed alkyl silicate. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”

*Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Accordingly, Applicants submit that the claimed invention is not anticipated by Tsutomu.

Moreover, the coating composition containing an alkyl silicate as disclosed in Tsutomu corresponds to Comparative Examples 1 and 3-5 of the present application. In the Comparative Examples, methyl silicate was not hydrolyzed or condensed, and as a result, the compositions were inferior in mar resistance and film adhesion properties (see Table 2 on page 28). In contrast, the compositions in accordance with the presently claimed invention appearing in Examples 1-9 (Synthesis Examples 1-5) possessed an excellent effect in mar resistance and film adhesion properties (see Table 1-1 and 1-2 on pages 26-27).

In view of the foregoing, Applicants submit that Tsutomu fails to anticipate the claimed invention or even support a *prima facie* case of obviousness of the presently claimed invention. Accordingly, withdrawal of this ground of rejection is requested.

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Applicants submit that the present application is now in condition for allowance.

Early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



Vincent K. Shier, Ph.D.  
Registration No. 50,552

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413-2220  
(OSMMN 08/03)